



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,992	01/31/2001	Joseph Cosentino	8818.00	4371

7590 10/06/2003

Intellectual Property Section
Law Department
NCR Corporation
101 West Schantz, ECD-2
Dayton, OH 45479-0001

EXAMINER

LOHN, JOSHUA A

ART UNIT	PAPER NUMBER
----------	--------------

2184

DATE MAILED: 10/06/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/774,992

Applicant(s)

COSENTINO, JOSEPH

Examiner

Joshua A Lohn

Art Unit

2184

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 8-12, and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Garg et al., United States Patent no. 6,327,677, filed April 27, 1998.

As per claim 1, Garg teaches of monitoring a number of operating parameters associated with operation of a system, see column 3, lines 58-59. He also teaches storing a number of operating parameters in a database, this is shown in the storing of the operating parameters to a storage device, see column 5, lines 66 through column 6, line 3. He finally discloses processing at least some of the parameters stored in the database to provide a number of signals indicative of a potential fault condition, see column 6, lines 6-23.

As per claim 2, Garg teaches of displaying a message to assist an operator in diagnosing the potential fault condition before the potential fault condition actually occurs, see column 15, lines 15-21, where a message including message useful for diagnosing a problem can be sent before a problem escalates until a severe fault.

As per claim 3, Garg teaches periodically determining if the signals indicative of the potential fault condition match a predetermined fault pattern, see column 6, lines 6-13.

Art Unit: 2184

As per claim 4, Garg discloses alerting an operator when the signals indicative of the potential fault condition match the predetermined fault pattern, see column 6, lines 17-23.

As per claim 5, Garg discloses logging a fault event when the signals indicative of the potential fault condition match the predetermined fault pattern, see column 7, lines 12-20.

As per claims 8-12, these claims are the means for doing the methods of claims 1-5, and are rejected under the same grounds as listed above.

As per claim 15-19, these claims are a software implementation of the methods of claims 1-5 and Garg discloses performing the methods in software, see column 16, lines 64-67.

Claims 1, 6-8, 13-15, and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bliley et al., United States Patent no. 6,622,264, filed November 22, 1999.

As per claim 1, Bliley teaches of monitoring a number of operating parameters associated with the operation of the system, see column 4, lines 23-27. Bliley also teaches of storing a number of operating parameters into a database, as shown in the fault log stored in the fault log data storage unit, see column 4, lines 15-22. Bliley finally teaches processing at least some of the parameters stored in the database to provide a number of signals indicative of a potential fault condition, see column 4, lines 57-61.

As per claim 6, Bliley teaches of displaying a number of actions on a screen to assist the operator in diagnosing the potential fault condition, see column 5, lines 45-51.

Art Unit: 2184

As per claim 7, Bliley teaches of displaying specific instructions to provide a step-by-step approach to diagnosing the potential fault condition, see the list of instructions of column 5, lines 45-51.

As per claims 8, 13, and 14, these claims are the means for doing the methods of claims 1, 6, and 7, and are rejected under the same grounds as listed above.

As per claims 15, 20, and 21, these claims are a software implementation of the methods of claims 1, 6, and 7, and Bliley discloses performing the methods in software, see column 2, lines 62.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is provided on form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua A Lohn whose telephone number is (703) 305-3188. The examiner can normally be reached on M-F 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoleil can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

JAL


SCOTT BADERMAN
PRIMARY EXAMINER